

Mr. Zeid Ra'ad Al Hussein
United Nations High Commissioner for Human Rights
The Office of the High Commissioner for Human Rights (OHCHR)

Palais Wilson
52 rue des Pâquis
CH-1201 Geneva, Switzerland

Your Excellency,

Mr. High Commissioner, the undersigned 16 Egyptian human rights organizations urge you to take action to ensure that our concerns are highlighted during your statement at the 31st regular session of the Human Rights Council (29 February to 24 March 2016), and to publicly raise the following concerns in the coming period.

- Enable civil society organizations within Egypt to freely operate under a legislative framework that complies with international standards and to maintain contacts with international agencies regarding human rights violations in Egypt without being subjected to retaliatory measures or reprisals and immediately close the infamous foreign funding case No. 173 for 2011. Further ensure a safe environment conductive to the

promotion of public spaces and protection of cultural centers, enabling the latter to carry out their activities and programs.

- Amend protest law number No.107/2013 – through the parliament – to comply with the constitution and Egypt's international obligations, including the UPR recommendations.

- Amend Article 126 of the Egyptian Penal Code on torture to comply with the broader definition of the Convention against Torture (CAT).

- Amend Article 102 of the "Police Authority Law" No. 109/1971 to comply with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Respect the constitutional obligations regarding the expenditure on health and education and prevent the fiscal austerity measures from hindering these constitutional requirements.

- Abolish – through the parliament – Article 98 (f) on defamation of religion in the Criminal Code

- Develop a mechanism to monitor the implementation of the national strategy to combat violence against women by forming a committee comprising representatives of civil society organizations and women rights groups and organizations that work on violence against women.

Human Rights violations in Egypt currently include:

Human rights violations committed by the current Egyptian authorities have severely intensified; a year after Egypt had accepted numerous recommendations to improve the human rights situation during the UPR Cycle in 2014. We have detailed the violations below.

Egypt's war on terror has been used as a cover for violations, and an undeclared state of emergency has been in force with the support of a deeply politicized judiciary. The Egyptian government's use of anti-terror discourse has only succeeded in closing down public spaces and peaceful dissent.

Extra-Judicial Killing and Police Violence

- According to the semi-governmental National Human Rights Council (NCHR), between June 2013 and December 2014, 2,600 deaths, including 700 security personnel, 1,250 supporters of the Muslim Brotherhood, and 550 others were caused by violence. The number of police crimes and incidents of violence and extrajudicial killing has increased. State violence occurred in vastly different contexts, whether

during a demonstration of no more than a few dozen people carrying flowers and posters, or at the beginning of a football match with ten thousand fans trying to enter a stadium, or at a hospital with police assaulting doctors on duty, or at university while students sat for exams.

Imprisonment, Torture and Ill-treatment

- Between July 2013 and May 2014, against the backdrop of turbulent political events, at least 41,000 people were detained, charged, or sentenced to prison or death. In February 2015, President al-Sisi publicly admitted that there were innocent youth in prisons and that he would work to release them. However, only a few have been released with presidential pardons, while others are still serving sentences on trumped up charges or being punished by prolonged pretrial detention.
- In October 2015, the Interior Ministry stated that 11,877 people had been arrested on terrorism-related charges since the beginning of 2015.
- At least 547 death sentences were handed down by Egyptian Courts – including before military trials – and a large number of people have been sentenced to life imprisonment for alleged political violence or activities. On 17 February, an Egyptian military court sentenced -'by mistake'- a four-year-old boy to life in prison for murder.

- Secular activists Ahmed Douma remains in prison after he was sentenced to life in prison, alongside women's rights defender Hend al-Nafea and 228 others, for participating in peaceful protests in December 2011.
- Ahead of the 5th anniversary of 25 January, the government launched a vicious security campaign. At least 5,000 apartments were raided in downtown Cairo, with dozens of activists, including Dr. Taher Mokhtar, a member of the Doctors Syndicate, arrested.

- Torture and collective punishment still occur on a large scale in Egyptian prisons and security facilities. 289 cases of torture were reported between June 2014 and June 2015. According to press statements by the Chairman of the Complaints Committee of the NCHR, the actual number of torture cases far exceeds those documented or reported in the media, describing torture as a systematic pattern. Complaints about lack of access to food, medication, warm clothes, books and blankets, as well as adequate medical care in Aqrab prison were reported by the NCHR. In March 2015, 15 prisoners were taken from their cells and subjected to torture, before they were transferred to disciplinary cells in solitary confinement.

Freedom of Association and Assembly

- The Egyptian government and the investigating bodies have been taking increasingly aggressive actions against civil society. Many **independent human rights NGOs** are being investigated for their human rights activities.
- In March 2016, the lawyer and human rights defender Negad El-Borai was charged with "running an organization for the purpose of inciting against authorities" and "practicing human rights without a license".
- In February 2016, Al Nadeem Center for the Rehabilitation of Victims of Violence received an order to close the center and revoke its license, based on a decree issued by the Ministry of Health. Other organizations continue to face challenges in the implementation of their activities, some were forced to change course, or to move most of their activities outside of Egypt. The Ministry or Social Solidarity dissolved nearly 500 NGOs in 2015.
- In 2015 airport security officers confiscated the passport of at least 32 political and civil society activists. Most recently, a travel ban was issued against Egyptian rights defender and investigative journalist Hossam Bahgat pursuant to an order issued by the prosecution without providing reasons. The same has happened to human rights defender and director of the Arabic Network for Human Rights Information Gamal Eid in early February 2016.
- Suppression of volunteer action and the quashing of youth and civil society initiatives continued. Aya Hegazy, her husband Mohammed Hassanein, and five others are facing trial on trumped up charges in connection to initiating Belady Foundation for Street Children.
- The **Protest Law** is used to completely close the public sphere and eliminate opposing voices. Tens of thousands of people have been detained and prosecuted for exercising their right to peaceful protest and assembly. Most recently, in December 2015, Dr. Ahmed Said, and four others were sentenced to two years in prison on charges relating to participating in an unlicensed demonstration.

Crackdown on Media Freedoms, Free Thought, Secular Art and Cultural Venues, and Academia

- A number of cultural centers and institutions including Townhouse Gallery, Rawabet Theater, Merit Publishers, Contemporary Image Collective, and Emad al-Din Studio, were raided and various persons on the premises arrested between December 2015 and January 2016. At least two people have been referred to trial, and some of the facilities remain closed.

- **Artistic works** in Egypt are subject to 14 different laws, which include articles - characterized by vague language - prescribing liberty-depriving penalties for offenders. On 20 February 2016, an appeals court sentenced the novelist Ahmed Naji to two years imprisonment for violating "public morals" after a passage from his novel containing material of "a sexual nature" was published.

- The state continues to curtail **academic freedoms** for both students and faculty. New amendments to the laws granting the power to university presidents to permanently expel students based on vague grounds and at the discretion of the university president were introduced. Politically active students are prohibited from running for office, while student unions are under strict scrutiny by university administrations.

- Various university administrations also levied administrative sanctions, including expulsion, on more than 263 students in 2015. The security apparatus arrested 201 students in connection with their political activities, 77 of whom were referred to the Military Prosecution, and police forces raided university campuses 13 times.
- The executive authority and security apparatus continue to interfere in the operation of universities, undermining their independence. Some faculty members at Egyptian universities have been banned from travel or subjected to procedural delays, being required to obtain prior approval for travel for work, academic, or research purposes.
- **Journalists and media workers'** personal safety and security are threatened as they work in an increasingly hostile environment. The past year witnessed 260 gag orders, 65 cases of assault or infliction of injury, 25 illegal detentions, and 28 seizures, or vandalism or erasure of the contents, of equipment belonging to journalists and media workers while on duty. The Committee to Protect Journalists (CPJ) stated that Egypt had 23 journalists behind bar in 2015, putting Egypt right behind China as the world's second highest jailer of journalists. (The Egyptian Journalist Syndicate puts the figure at 32). Rights organization documented at least 59 imprisoned journalists since October 2013.

Economic and Social Justice

- The government in 2015 continued to implement austerity measures that harm the poor and people with lower income while it flagrantly ignored the demands of social justice. The government in the financial year 2014/2015 fell short of its constitutional obligation to allocate 3% of Gross National Product (GNP) on health and 6 % of GNP on education. Instead the share of health was only 1.7% and education was only 3.8% of GDP.

- The expenditure of the year 2015-2016 on loan payments increased markedly compared to previous years at the expense of other budget items. Adjusting for inflation, the real growth rate for many of these other items is negative. The real value of spending on wages declined; the same is true of spending on goods and services (including hospital and school supplies and public transportation maintenance) and subsidies, grants, and benefits (this points to a new increase in electric, gasoline, and diesel bills).

Religious Freedoms

- 2015 witnessed an increasing number of cases of **defamation of religion** (article 98 (f) of the Criminal Code); mostly against religious minorities such as Christians, Shi'a Muslims and atheists. At least 7 decisions were issued in 2015 and more than 11 cases are still ongoing.

- The state still sponsors customary reconciliation meetings to solve sectarian tensions instead of resorting to the equal application of the law. This results in the continuation of an atmosphere of impunity with the perpetrators of violent attacks against Christian and other religious minorities not being held to account.

Women Rights

- During the UPR (2014), Egypt accepted 83 recommendations pertaining to **women rights** – mostly tackling violence against women in both public and domestic spheres. Several draft laws and suggestions to amend the penal code were introduced; including suggested amendments to Articles 267 and 268 that define rape and sexual assault.

- In 2015, a national strategy combating violence against women was launched; however, this strategy neither included holding state actors accountable nor referred to the matter at all. Although a national strategy to combat Female Genital Mutilation (FGM) was introduced by the Ministry of Housing, FGM crimes remain widespread.

Mr. High Commissioner, we urge you to take action to ensure that our requests are highlighted during your statement in the 31st regular session of the Human Rights Council (29 February to 24 March 2016).

With assurances of our highest consideration,

Signatory organizations:

1. **Cairo Institute for Human Rights Studies**
2. **Alhaqanya Foundation of Rights and freedoms**
3. **Appropriate Communications Techniques for Development (ACT)**
4. **Arab Center for Independence of the Judiciary and the Legal Profession**
5. **Arab Penal Reform Organization**
6. **Arabic Network for Human Rights Information (ANHRI)**
7. **Association for Freedom of Thought and Expression**
8. **Center for Egyptian Women's Legal Assistance**
9. **Egyptian Commission for rights and freedoms**
10. **Masryoon Against Religious Discrimination**
11. **National Community for Human Rights and Law**
12. **Nazra for Feminist Studies**
13. **The Egyptian Association for Community Participation Enhancement**
14. **The Egyptian Center for Economic and Social Rights**
15. **The Egyptian Initiative for Personal Rights**
16. **The Land Center for Human Rights**